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General Assembly Official Records

Disarmament Commission
335th meeting
Friday, 19 April 2013, 10 a.m.
New York

Chair: Mr. Grima ..... (Malta)

The meeting was called to order at 11.45 a.m.

Report of the Disarmament Commission to the General Assembly at its sixty-eighth session

The Chair: The Commission will continue its consideration of agenda item 6 in order to adopt the reports of the subsidiary bodies under agenda items 4 and 5, as well as the draft report of the Commission, as contained in documents A/CN.10/2013/CRP.2, A/CN.10/2013/CRP.3, and A/CN.10/2013/CRP.4, respectively. Those documents have been circulated to delegations. Thereafter, the Commission will hear concluding statements by delegations.

To start the process of the consideration and adoption of the reports of the subsidiary bodies on individual agenda items, I will first call on the Chairs of each Working Group to introduce their respective reports.

I now give the floor to the Chair of Working Group I, on agenda item 4, "Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons", to introduce the draft report of Working Group I, as contained in document A/CN.10/2013/CRP.3.

Mr. Al-Sudairy (Saudi Arabia), Chair of Working Group I (*spoke in Arabic*): It is my pleasure to welcome Ms. Angela Kane and to thank her for having followed the work of the Commission.

It is my honour to introduce the draft report of Working Group I, contained in document A/CN.10/2013/CRP.3. I take this opportunity to address my thanks to all members of the Commission for having given me the chance to chair that highly significant Working Group during the second year of the work of the Commission.

The Working Group was able this year, given the volume of work achieved last year, to consider two working papers dated 17 April 2012, which formed the basis for our work, in accordance with the agenda. During our working days, we had an exchange of views regarding the elements included in that document, since the objective of the Working Group was to formulate proposals to be submitted to the General Assembly, and we reached agreement on the fact that there was a need to finalize proposals to be adopted by consensus. That led to the drafting of two working documents dated 9 April 2013 on achieving the objectives of disarmament and non-proliferation.

We also held four meetings, and on 12 April the Group considered a document dated 12 April. That document concerns general principles for the implementation of measures for nuclear disarmament and non-proliferation, and I was entrusted with drafting a text that could be used as the introduction to the recommendations that we would be submitting. After four readings of the proposals, I submitted the second working paper and noted that it could form the basis for consensus within the Group.

In the light of the comments made regarding those guidelines, I finalized the third document as a separate working paper. Unfortunately, that document

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did not meet with success, as we had hoped, and delegations did not reach agreement on document A/CN.10/2013/WG.1/CRP.2. In my view, the number of proposals made suggests that the Commission will have a rather heavy workload next year. The fact that we did not achieve success not only hampers our work, but also underlines the significance of the Commission as the only body working on disarmament in the United Nations.

The report before us today, contained in document A/CN.10/2013/CRP.3, was adopted by consensus and drafted in accordance with the procedure followed in previous years. It is procedural in nature. At this morning's meeting, the Chair adopted an amendment, yet unlike last year, we were not able to achieve consensus. All delegations nevertheless participated with great vigour in achieving this consensus, so it is my hope that the Group will be able to reach consensus, and I thank the Chair for the support he has continually provided throughout our work.

The Chair: There being no comments, I shall take it that the Commission wishes to adopt the report of Working Group I, on agenda item 4, as contained in A/CN.10/2013/CRP.3, as orally revised.

It was so decided.

The Chair: I would now like to move on to the report of Working Group II on agenda item 5, entitled "Practical confidence-building measures in the field of conventional weapons", as contained in document A/CN.10/2013/CRP.4. I give the floor to the Chair of Working Group II to introduce the report of Working Group II.

Mr. Langeland (Norway), Chair of Working Group II: At the outset, I would like to thank members of the Disarmament Commission for the trust vested in me to chair the deliberations of Working Group II. The Working Group, which dealt with agenda item 5, entitled "Practical confidence-building measures in the field of conventional weapons", held 11 meetings from 3 to 17 April.

I am pleased with the work of Working Group II this year. It has built on the contribution of what was presented at last year's session, which enabled us, on a step-by-step basis, to collectively produce a more comprehensive working paper. That working paper has been submitted for processing in my name, and let me assure the Commission that the working paper does not represent consensus. It is in my name and it does not set a precedent. The working paper, in its current state, contains text in brackets and bold text, but that is the natural consequence of a bottom-up process, whereby different ideas and proposals were merged in a transparent and open manner. Thus, the outcome of the Working Group's discussion is the product of the recommendations and policies expressed by all member States participating in the exercise. Let me also underline again that it does not reflect consensus, and I have submitted it under my own name.

My general — and let me underline, personal — observation is that the Working Group was able to develop a common understanding on issues and identify all the issues that need to be further clarified on the road towards achieving consensus. The Group deliberated on the previous non-paper, section by section, working first on what could be considered the preambular section, including the introduction of objectives and principal sections. That was followed by discussions on the practical recommendations, as the focus of the mandate of the Working Group is to produce such recommendations.

In practical terms, the Working Group held extensive deliberations, and it is my personal assessment that we had a convergence of views both on the introduction and on the objectives. It is also evident that much work remains to be done in other parts of the document to bridge the various differences that we see. It is therefore important to make full use of the time available next year. Not least, we must mobilize political will and the flexibility to reach consensus.

I would like to thank you, Mr. Chair, for your support for me and for your tireless efforts to build consensus among the delegations. I would also like to thank the Secretariat for its hugely appreciated assistance, and I say that also on a very personal note. I greatly appreciated the assistance of the Office for Disarmament Affairs and the Department of General Assembly and Conference Management.

I would also like to express my gratitude to the delegations for their contribution. I believe it was very useful to the substantive discussion, and the active participation on the part of the whole will provide a good foundation for our work next year. I very much hope that we will reach consensus on practical recommendations on confidence-building measures in the field of conventional weapons next year, at the end of the cycle.

The Chair: There being no comments, I shall take it that the Commission wishes to adopt the report of Working Group II, on agenda item 5, as contained in document A/CN.10/2013/CRP.4.

It was so decided.

The Chair: Having adopted all the reports of the subsidiary bodies of the Commission, I would like to thank the Chairs of the two Working Groups for their tireless efforts and dedication. The Commission is deeply indebted to them for their effective leadership in guiding the deliberations of the Working Groups on these very complex issues.

We will now begin our consideration of the draft report of the Disarmament Commission, as contained in document A/CN.10/2013/CRP.2. I have the pleasure of giving the floor to the Rapporteur of the Commission, Ms. Charlene Roopnarine of Trinidad and Tobago, to introduce the draft report of the Commission.

Ms. Roopnarine (Trinidad and Tobago), Rapporteur of the Commission: It is my honour to introduce to the Disarmament Commission the draft report of the Commission on its 2013 substantive session, as contained in document A/CN.10/2013/CRP.2. The draft report consists of four chapters: "Introduction", "Organization and work of the 2013 substantive session", "Documentation" and "Conclusions and recommendations".

Allow me now to address the text of the draft report and to draw delegations' attention to amendments to certain paragraphs of document A/CN.10/2013/CRP.2.

In paragraph 9, the words "Ms. Angela Kane" will be added to the end of the paragraph.

In paragraph 14, the text will now read:

> "In the course of the Commission's work, the elements contained in the document listed below, dealing with substantive questions, were submitted and considered".

The rest of the paragraph remains the same.

With respect to paragraph 17, delegations are reminded that the report of Working Group I, as contained in document A/CN.10/2013/CRP.3, has been revised to add the year "2013" to the dates mentioned in paragraphs 5, 7, 10 and 14.

Also, the last sentence of paragraph 9 now reads: "These working papers do not represent the negotiated positions or command consensus and should not set a precedent." As is customary, the final report is a factual description of the Commission's work and proceedings during the session. The substantive part comprises the two reports of the working groups that were just adopted by the Commission and which are part of the present report. The Commission did not hold parallel meetings.

I was privileged to closely observe the valiant efforts of the Chairs of the two Working Groups and of delegations to craft consensus on the substantive agenda items. It is my sincere hope that the various proposals made this year will result in adopted recommendations by the Commission during its 2014 session.

Given the deliberative mandate of the Commission, all oral and written proposals that were submitted contributed greatly to the objectives of the Groups. Thanks to the unfailing belief of the Chairs of both Working Groups in the possibility of success and their readiness to act on that conviction, nothing was lost from the repository of ideas gathered during the session.

Allow me to extend my gratitude to Ms. Angela Kane, High Representative of the Secretary-General for Disarmament Affairs, for the counsel and support that her Office provided to the Bureau and to Member States. Let me also express my sincere appreciation to the Acting Head of the Department for General Assembly and Conference Management, Mr. Jean-Jacques Graisse, for the excellent organization and servicing of the Commission's meetings.

I wish to commend all members of the Secretariat for their tireless efforts and kind assistance. I would also like to thank the Secretary of the Commission, Ms. Sonia Elliott, Mr. Tsutomu Kono, Political Affairs Officer of the Office for Disarmament Affairs, Ms. Christa Giles, Secretary of Working Group II, as well as the staff of the Office for Disarmament Affairs, who supported the deliberations in both Working Groups.

Finally, allow me to take this opportunity to say that it has been a great honour to serve as Rapporteur of this session and, in particular, to work under the able leadership of our Chair, Ambassador Christopher Grima.

With those brief remarks, I recommend that the Commission adopt the draft report, as contained in document A/CN.10/2013/CRP.2.

The Chair: We shall now consider the draft report of the Commission chapter by chapter.

If there are no comments on chapter I, entitled "Introduction", paragraph 1, I shall take it that the Commission wishes to adopt paragraph 1.

Paragraph 1 was adopted.

The Chair: We turn next to chapter II, entitled "Organization and work of the 2013 substantive session", paragraphs 2 to 12. If there are no comments, I shall take it that the Commission wishes to adopt chapter II, paragraphs 2 to 12, as orally amended.

Paragraphs 2 to 12, as orally amended, were adopted.

The Chair: We now turn to chapter III, entitled "Documentation", paragraphs 13 and 14. If there are no comments, I shall take it that the Commission wishes to adopt chapter III, paragraphs 13 and 14, as orally amended.

Paragraphs 13 and 14, as orally amended, were adopted.

The Chair: We now turn to chapter IV, entitled "Conclusions and recommendations", paragraphs 15 to 18. If there are no comments, I shall take it that the Commission wishes to adopt chapter IV, paragraphs 15 to 18, as orally amended.

Paragraphs 15 to 18, as orally amended, were adopted.

The Chair: May I take it that it is the wish of the Commission, having adopted all paragraphs of the draft, to adopt the draft report of the Commission as a whole, as contained in document A/CN.10/2013/CRP.2, as orally amended?

I have a request for the floor from the representative of Algeria.

Mr. Moktefi (Algeria) (*spoke in French*): My delegation is fully ready to adopt the draft report of the Disarmament Commission (A/CN.10/2013/CRP.2) as it stands. However, I wish to draw attention, without making any proposal, to the fact that paragraph 16, under chapter IV, should be the last paragraph of the report. It is just a comment.

The Chair: I now give the floor to the Secretary of the Commission.

Ms. Elliott (Secretary of the Committee): In response to the comment just made by the representative of Algeria, I would just like to point out that the report has always been drafted this way. If I can draw the attention of delegations to the most recent report, contained in document A/67/42, there is a reference to the adoption of the report in the penultimate paragraph. The reports of the Working Groups follow. It has always been done that way.

The Chair: I now give the floor to the representative of Algeria.

Mr. Moktefi (Algeria) (*spoke in French*): My delegation is not too concerned about the comment that I just made. Even if it is a tradition, the text is very clear. This involves the adoption of the report as a whole. The reports of the two Working Groups form part of the report, and so, logically and sequentially speaking, paragraph 16 appears at the end of the report. It is in that context that the Commission, having made some accomplishments, expresses its appreciation to the Chair and to the Secretariat. That is just an observation; my delegation endorses the report as it is.

The Chair: With the clarification from the Secretariat, may I take it that the Commission is ready to adopt the draft report, as contained in document A/CN.10/2013/CRP.2, as orally revised?

The draft report, as orally revised, was adopted.

Concluding statements

The Chair: Now that the report of the Commission has been adopted, allow me to make a concluding statement.

At the outset, I would like thank the High Representative for Disarmament Affairs, Ms. Angela Kane, for being with us today.

We are approaching the end of our 2013 substantive session. Before concluding, I would like to offer some brief personal reflections on our work from the perspective of the Chair.

I would like to begin by expressing appreciation for the confidence that members have shown in the Chair and for the excellent cooperation that has prevailed throughout this session of the Disarmament Commission. In my opening statement at the beginning of this session, I called on delegations to move away from maximalist national positions and identify a

middle ground in specific areas in which progress can be achieved. I also made an appeal to delegations to make use of this forum to rebuild trust and restore a common sense of purpose that provides direction and momentum that can be taken forward in other disarmament forums.

Today I am pleased to report that, to an extent, the Commission has responded to that call. In the view of the Chair, these have been three productive weeks. We have had a rich discussion in both Working Groups. I pay tribute to all those who have put forward constructive proposals with the sole objective of moving forward the work of the Commission. Others have worked behind the scenes to bridge differences between delegations on the more complex issues before the Commission. Views clearly continue to differ on some of the more sensitive areas and, in some cases, remain very far apart. However, even here, I believe that we have all benefited from our deliberations over these three weeks. In some areas, under both the nuclear and conventional weapons items, positions have moved closer, as we have heard from our two Chairs.

Of course, none of this would have been possible without the determination and outstanding work carried out by the two Working Group Chairs, Ambassador Naif bin Bandar Al-Sudairy of Saudi Arabia, and Mr. Knut Langeland of Norway; I pay tribute to both of them. At the same time, I wish to acknowledge and express the Chair's appreciation to all delegations for the constructive manner in which they have approached this session.

It is clear to me that the Disarmament Commission would benefit from some adjustments in the way it conducts its business, not least through a more focused agenda and better ways in which to record even limited progress. Over these three weeks, I have at times asked myself whether the difficulties the Commission has come up against in recent years have been of a more organizational nature, or something deeper. As with other disarmament forums, the Commission may wish to reflect on whether the difficulty in moving forward in its work stems from a lack of political will or, in fact, is the result of the lack of a common objective. I also believe that some reflection is needed on the extent to which the Commission applies the principle of consensus and on how this relates to both procedural aspects and to its substantive work.

Notwithstanding its inability, for a number of years, to deliver on its solemn mandate to submit recommendations to the General Assembly, the Commission, however, continues to provide a useful vehicle through which delegations can better understand one another's positions, and, in the process, it can contribute to building trust and confidence among Member States. Given its universal and deliberative character and the possibility it provides for frank, open and informal debate, the Commission could also serve as a laboratory of ideas and a clearing house for initiatives and proposals that could be used in other disarmament forums.

In what is unquestionably a very complex political environment, the Commission should be satisfied with what it has managed to achieve this year. As I have already said, the discussion among delegations has for the most part been encouraging and, following the excellent work done at the last session under the able chairmanship of Ambassador Enrique Román-Morey, for the first time since 2006 the Commission has agreed to send forward to the third and final year of the cycle a conference room paper containing comments and proposals by delegations and three Chair's working papers that should represent the starting point for further work next year.

While, clearly, the Working Papers remain the responsibility of the Working Group Chairs and in no way prejudice or prejudge the positions of delegations, my sense is that they put the Commission on course for a positive outcome in 2014. Essentially, the Commission has done what it should do in the second year of its three-year cycle. It has set the stage for the final year, and my hope is that delegations will together succeed in crossing the finishing line at next year's session. I also believe that the Commission has made a small contribution towards that objective and towards restoring the credibility and relevance of the Disarmament Commission.

Before concluding, I would like to thank all those who have contributed to the smooth running of the Commission. I would like to thank all the members of the Bureau, the Vice-Chairs and our Rapporteur. My appreciation goes to the secretaries of the Working Groups, all staff members of the Department for General Assembly and Conference Management and the Office for Disarmament Affairs (ODA), as well as the conference officers and interpreters who, as usual, have done an outstanding job. A special word of thanks

goes out to the person on my left, Ms. Sonia Elliott, Secretary of the Commission, for her dedication and hard work. I would also like to thank Mr. Tom Kono of ODA for his wise counsel.

Last but not least, I would like to thank all delegations. It has been an honour and a privilege for me to chair the Disarmament Commission. I have appreciated both our formal and less formal exchanges, and I consider myself fortunate to have been given the opportunity to work with all present.

Ms. Dagher (Lebanon) (*spoke in Arabic*): It is an honour for me to speak on behalf of the Group of Arab States. At the outset, I would thank and congratulate you, Sir, on the outstanding manner in which you led the work of the 2013 session of the Disarmament Commission. I also extend my thanks and recognition to the Chairs of Working Groups I and II for their tireless efforts.

The Group of Arab States regrets the lack of consensus. We believe that the working papers of both Working Groups reflect tangible progress and should help us to reach consensus at our next session, which is our Group's ultimate objective.

The Group of Arab States reaffirms that multilateral solutions, in line with the Charter of the United Nations, are the only sustainable means for addressing disarmament issues and international security. The Group of Arab States would urge all Member States to renew their unilateral and collective efforts through multipartite cooperation. We believe very firmly that the United Nations plays a very important role in disarmament and non-proliferation. We also wish to reaffirm our confidence in the importance of the Disarmament Commission.

The Group of Arab States wishes once again to reaffirm our position on the paragraph contained in the working paper submitted to Working Group I on the holding of a conference in 2012, pursuant to the 1995 resolution on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The 1995 resolution is crucial for the preservation of the relevance and credibility of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The international community took 15 years to adopt an implementation mechanism for that resolution in the framework of the outcome document of the 2010 Review Conference of the Parties to the NPT.

In line with the action plan adopted within the framework of 2010 NPT Review Conference, there are different steps for the implementation of the 1995 resolution on the Middle East. The action plan entrusts the Secretary-General and the three countries that co-sponsored the 1995 resolution with the task of conducting consultations with the States in the region in order to hold a conference in 2012 with a view to establishing a nuclear-weapon-free zone. That conference would start a process leading to the fulfilment of the 1995 resolution. Further, the organizers' unilateral report suggests that they are distancing themselves from the responsibilities assigned to them in the 2010 NPT action plan, which has had a negative impact on the credibility of the NPT and the NPT review process, including resolutions that were adopted by the international community in the framework of that process.

In our view, the organizers of the conference and the parties that have not agreed to participate in the conference must be held responsible for the report and be accountable for hindering progress towards setting up a zone free of nuclear weapons in the Middle East, a goal that Arab countries have been trying to fulfil for four decades.

The Group of Arab States reaffirms the need to convene the conference on establishing a nuclear-weapon-free zone and a zone free of weapons of mass destruction in the Middle East as soon as possible. The conference should be convened in 2013. We reaffirm that convening the conference is the responsibility of the international community as a whole. Failing to convene the conference is a violation of the review process and of the commitments already made. There is a direct link between convening the conference in 2013 and the specific consequences resulting from a time-bound negotiations process to achieve a nuclear-weapon-free zone. There is also a link between that process, the 2015 NPT Review Conference and the success of the work of the Preparatory Committees.

Ms. Sullivan (Ireland): I am speaking on behalf of the European Union. First of all, I would like to thank the Chair and all the members of the Bureau for their concerted efforts in steering the current session of the United Nations Disarmament Commission (UNDC). The European Union also wishes to express its appreciation to the Chairs of the two Working Groups, not only for guiding our discussions in a constructive and transparent manner, but for their attempts towards

a tangible outcome of the deliberations. We give special thanks to the Secretariat staff for their assistance in our work.

During the past three weeks, we have witnessed an open exchange of views and focused the discussions on our two agenda items. We look forward to continuing our consideration of recommendations on the basis of work done this year and for the UNDC making recommendations in the last session of its three-year cycle next year.

Mr. Cassidy (Indonesia): On behalf of the Non-Aligned Movement (NAM), I would like to thank you, Mr. Chair, and your Bureau for your able leadership, dedication and hard work throughout the substantive session of the Disarmament Commission. I would also like to express the Movement's great appreciation to the Chairs of Working Group I and Working Group II.

NAM reiterates its long-standing position on the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation. In that regard, the group reaffirms the relevance and centrality of the Disarmament Commission as the sole specialized and deliberative body within the United Nations multilateral disarmament machinery that provides for in-depth deliberation of specific disarmament issues and the submission of concrete recommendations to the General Assembly. In that context, for its part NAM remains ready, as it was at this session of the Disarmament Commission, to continue to engage in a constructive manner with other groups to ensure a successful outcome of the next session in order to achieve the objectives of nuclear disarmament and the non-proliferation of nuclear weapons.

NAM hopes to have a constructive Disarmament Commission session in 2014 and urges greater political will, flexibility and cooperation on the part of all countries. Before bidding farewell and wishing a safe journey to all our colleagues who have come to New York to participate in this session, let me also thank the staff of the Secretariat for their assistance to delegations.

Mr. Adejola (Nigeria): I am speaking on behalf of the Group of African States. We would like to thank you, Sir, for your service and leadership during this session of the United Nations Disarmament Commission (UNDC). We also wish to commend members of the Bureau, and in particular our members from Côte d'Ivoire and Egypt. We also wish to welcome the High Representative for Disarmament Affairs. The Group wishes to express its appreciation to the Chairs of the two Working Groups for their work and facilitation of our deliberations. We wish to commend their commitment and efforts to moderate the course of the deliberations.

We associate ourselves with the closing remarks made by the representative of Indonesia on behalf of the Non-Aligned Movement.

The debates in Working Groups I and II were quite encouraging, and we wish to commend the Chairs, who in our view, despite a variety of proposals, views and opinions put forward by representatives, worked so tirelessly to provide the required leadership. We reiterate our desire to achieve more progress on those items as we move into the final year of this cycle of the UNDC.

The Group also wishes to commend other representatives for their courtesy and professionalism, and to further underscore the need to look to the future with hope, even as we prepare for the next and last substantive session in this cycle. Furthermore, the Group wishes to reiterate the importance it attaches to multilateralism and diplomacy on the issue of disarmament and non-proliferation. Our commitment to the role of the UNDC, as the deliberative body within the United Nations disarmament machinery, remains unyielding. So it is our fervent hope that more progress will be achieved next year.

Finally, we wish to express appreciation to the staff of the secretariat of the UNDC for providing the necessary support and assistance to delegations.

Closure of the session

The Chair: Before I bring this meeting to an end, allow me once again to express my gratitude to all delegations for their constructive spirit and for the support they have extended to me and other members of the Bureau, who helped me to shoulder the responsibility of smoothly running the Commission. To them I am particularly thankful. I wish the members of the Commission well for the 2014 session.

I declare closed the 2013 substantive session of the Disarmament Commission.

The meeting rose at 12.35 p.m.